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December 18, 2017

Hon Judge James L Garrity
United States Bankruptcy Court
One Bowling Green
New York, NY 10004

RE: Status Report / Base Ch 13 and Adversary

16-01020-jlg Cocoletzi et al v. Orly
15-11650-jlg Amir Orly

Dear Honorable Judge Garrity:

Please accept this as the Debtor / Plaintiff's Case Status Report for the above captioned base chapter 13 bankruptcy case and the related pending adversary proceeding.

Exactly as I reported on November 27, 2017 in a status report to the court, (ECF Dkt # 27) once again, since the last appearance before Your Honor there have not been any changes in the status of the action pending in the U.S. District Court for S.D.N.Y. Mr. Androphy has requested a certificate of default be entered as to Mr. Orly and a co-defendant, and the clerk did file a certificate on July 28, 2017 noting the default. In a status report to this Court dated December 14, 2017 (ECF Dkt # 30), concedes that his office has done nothing and the Debtor remains at his mercy to close both the pending adversary proceeding and his Chapter 7 case. Mr. Androphy says that his firm will file a motion seeking entry of default judgment "at the end of January."

The base chapter 7 case and the adversary case pending before Your Honor remain at a standstill. If Mr. Androphy's clients are doing nothing to prosecute and advance their case in the U.S. District Court, the Debtor can do nothing to move his bankruptcy case towards closure. The debtor came to this court seeking a fresh start which he truly needs and deserves. Mr. Orly's case has since been hijacked by the pending adversary and is at the mercy of a dormant case sitting in the US District Court. The Debtor is stuck now

waiting for opposing counsel to act, which he doesn't seem prepared to do any time soon. The Debtor respectfully requests this court take firm and immediate action to dismiss the adversary proceeding for lack of prosecution and enter a discharge order to allow this debtor closure and a fresh start. The undersigned will attend the next court appearance on Wednesday, December 20, 2017 at 2:00pm.

Thank you for Your Honor's continued patience with this case. I remain

Very truly yours,
/s/ Linda M. Tirelli, Esq.
Linda M Tirelli, Esq.

cc: Joshua Androphy, Esq.